

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**KENTON SMALLWOOD, CATHERINE
CHRISTENSEN, RAHSAAN RENFORD,
and BERTHIL IVARSON, individually and
on behalf of the Class, and others similarly
situated,**

Plaintiffs,

vs.

**ILLINOIS BELL TELEPHONE COMPANY,

Defendant.**

CASE NO.: 1:09-cv-4072

District Judge Sharon Johnson Coleman

Magistrate Judge Morton Denlow

MOTION TO FILE JOINT STIPULATION OF SETTLEMENT UNDER SEAL

COME NOW Named Plaintiffs Kenton Smallwood, Catherine Christensen, Rahsaan Renford, and Berthil Ivarson, (“Named Plaintiffs”), on behalf of themselves and other Opt-In Plaintiffs (collectively, “Plaintiffs”), and Defendant Illinois Bell, Inc. Defendant”) and respectfully request the Court’s permission to file the parties’ Joint Stipulation of Settlement (“Joint Stipulation”) and related Exhibits under seal. In support thereof, the parties state as follows:

1. The parties have reached a settlement, conditioned upon this Court’s approval and entry of a Final Order. The terms of the settlement have been formalized in the Joint Stipulation.
2. The parties intend to file a Joint Motion for Approval of Settlement (“Motion for

Approval”), along with the Joint Stipulation and related Exhibits, which reflect the specific monetary payments to each Plaintiff.

3. All Named Plaintiffs, Opt-In Plaintiffs and absent class members will be sent individual notice and have an opportunity to accept or reject the settlement terms. Therefore, public notice of the specific terms is unnecessary.

4. The parties agree that confidentiality is a key term of the Joint Stipulation, and as part of their proposed settlement, agree not to disclose the terms of the Joint Stipulation to anyone other than their immediate family members, tax, and/or legal advisors, unless otherwise required by law.

5. In light of other similar litigation against related Defendants, Defendant would be specifically harmed by the public filing of the specific terms of the Joint Stipulation of Settlement.

6. In order to effectuate the terms of the Joint Stipulation, the parties desire to submit the Joint Stipulation and related Exhibits to the Court for its in-camera review by filing the documents under seal, separate from the Motion for Approval, which the parties will file electronically.

7. In order to balance parties’ interests in confidentiality and the harm to Defendant with the interests of the public, the parties narrowly tailor their request to the Joint Stipulation of Settlement itself and its related Exhibits. The Motion and supporting Memorandum requesting judicial approval of the settlement, which include the parties’ reasons for settlement and their argument in support of the fairness and appropriateness of the settlement terms, shall be publicly filed to permit public inspection.

WHEREFORE, the parties respectfully request that the Court permit them to file their Joint Stipulation and related Exhibits under seal.

Submitted this 16th day of November, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2010, I electronically filed the foregoing
MOTION TO FILE JOINT STIPULATION OF SETTLEMENT UNDER SEAL with the
Clerk of Court using the CM/ECF system which will automatically send e-mail notification of
such filing to the attorneys of record:

/s/ Kenneth W. Gage
Counsel for Defendant